

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

UNITED STATES OF AMERICA)
)
 v.) No. 3:08-00248
) JUDGE TRAUGER
EDWARD DESHAWN SMITH)

MOTION TO CONTINUE JANUARY 11 REVOCATION HEARING

Through counsel, defendant Edward Deshawn Smith moves to continue the revocation hearing set on January 11, 2013. In support of this motion, defense counsel would show the following:

(1) The most serious allegations in the revocation petition relate to new criminal conduct, alleged by the government and charged separately in *United States v. Edward D. Smith*, Case No. 3:12-00186, in front of Judge Haynes. That matter had been set for trial on January 22, but the defendant has filed an unopposed motion to continue and anticipates that the trial will be continued. That matter may well proceed to trial.

(2) One other basis for the requested continuance, in both matters, is a medical concern about Mr. Smith set forth in more detail in the sealed affidavit filed by counsel in Case No. 3:12-00186.

For the reasons stated above, the defendant moves to continue the revocation hearing currently set on Friday, January 11, 2013.